

**THE FOLLOWING DOCUMENTS
CONSTITUTE AN UNOFFICIAL COPY OF
AN INTERNATIONAL SEARCH REPORT
DATED MARCH 18, 2009 FOR
INTERNATIONAL PCT PATENT
APPLICATION PCT/US09/31040 WHICH
CORRESPONDS TO PENDING US
PATENT APPLICATION 12/353,753.**

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

DUANE C. BASCH
BASCH & NICKERSON LLP
1777 PENFIELD ROAD
PENFIELD, NY 14526

PCT

RECEIVED

MAR 20 2009

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

Applicant's or agent's file reference
10560074010302

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US 09/31040

International filing date
(day/month/year) 15 January 2009 (15.01.2009)

Applicant KIRTAS TECHNOLOGIES, INC.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Authorized officer:

Lee W. Young

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
DUANE C. BASCH
BASCH & NICKERSON LLP
1777 PENFIELD ROAD
PENFIELD, NY 14526

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year)	18 MAR 2009
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Applicant's or agent's file reference 10560074010302	FOR FURTHER ACTION See paragraphs 1 and 4 below
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International application No. PCT/US 09/31040	International filing date (day/month/year) 15 January 2009 (15.01.2009)
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Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

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☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

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In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 10560074010302	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US 09/31040	International filing date (<i>day/month/year</i>) 15 January 2009 (15.01.2009)	(Earliest) Priority Date (<i>day/month/year</i>) 15 January 2008 (15.01.2008)
Applicant KIRTAS TECHNOLOGIES, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 7 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43 *bis*(a)).

c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II).

3. ☐ **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the drawings to be published with the abstract is Figure No. 1

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 09/31040

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - H04N 1/04 (2009.01)

USPC - 358/496

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

USPC: 358/496

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
USPC: 382/112, 315, 317-319; 358/505, 401, 496, 498

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Pubwest (USPAT, PGPUB, JPO, EPO), Google: image, platen, table, platform, camera, scan, book, newspaper, position, vacuum, roller, track.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6,011,635 A (BUNGO et al.) 04 January 2000 (04.01.2000) the entire document especially, col 3, ln 61-65; col 4, ln 1-3; col 5, ln 5-10 and Figures 1 and 2.	25

Y		10, 11, 17-24, 26
Y	US 3,816,646 A (CINQUE) 11 June 1974 (11.06.1974) the entire document especially, col 3, ln 8-11, ln 17-19, ln 29-31, ln 22-23, and col 4, ln 27-31.	1-16
Y	US 2006/0215038 A1 (GRUBER et al.) 28 September 2006 (28.09.2006) the entire document especially, para [0027], [0028] and [0104].	1-16, 24
Y	US 4,899,214 A (ROBBINS et al.) 06 February 1990 (06.02.1990) the entire document especially, col 5, ln 34-38 and col 10, ln 16-20.	5, 9-11, 17-24, 26
Y	US 6,323,963 B1 (TAKAHASHI) 27 November 2001 (27.11.2001) the entire document especially, col 28, ln 12-17.	4-7
Y	US 2006/0203244 A1 (NILSON et al.) 14 September 2006 (14.09.2006) the entire document especially, para [0104].	8
Y	US 2002/0186425 A1 (DUF AUX et al.) 12 December 2002 (12.12.2002) the entire document especially, para [0026]-[0027].	12
Y	US 4,831,457 A (WATANABE et al.) 16 May 1989 (16.05.1989) the entire document especially, col 4, ln 10-17 and figure 4.	23

☐ Further documents are listed in the continuation of Box C.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

08 March 2009 (08.03.2009)

Date of mailing of the international search report

18 MAR 2009

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US, Commissioner for Patents

P.O. Box 1450, Alexandria, Virginia 22313-1450

Facsimile No. 571-273-3201

Authorized officer:

Lee W. Young

PCT Helpdesk: 571-272-4300

PCT OSP: 571-272-7774

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:
DUANE C. BASCH
BASCH & NICKERSON LLP
1777 PENFIELD ROAD
PENFIELD, NY 14526

Date of mailing
(day/month/year)

18 MAR 2009

Applicant's or agent's file reference
10560074010302

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US 09/31040

International filing date (day/month/year)

15 January 2009 (15.01.2009)

Priority date (day/month/year)

15 January 2008 (15.01.2008)

International Patent Classification (IPC) or both national classification and IPC

IPC(8) - H04N 1/04 (2009.01)

USPC - 358/496

Applicant KIRTAS TECHNOLOGIES, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Date of completion of this opinion

08 March 2009 (08.03.2009)

Authorized officer:

Lee W. Young

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US 09/31040

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed.
 - ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed
 - ☐ filed together with the international application in electronic form
 - ☐ furnished subsequently to this Authority for the purposes of search
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US 09/31040

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24, 26	YES
	Claims	25	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-26	NO
Industrial applicability (IA)	Claims	1-26	YES
	Claims	None	NO

2. Citations and explanations:

Claim 25 lacks novelty under PCT Article 33(2) as being anticipated by US 6,011,635 A to Bungo et al. (hereinafter 'Bungo').

Regarding claim 25, Bungo discloses a method for imaging a large document, including: placing a page of said document on a top surface of the platen (col 3, in 61-65, wherein the top page is ready to be scanned); positioning said page on the top surface of the platen (col 5, in 5-10, wherein the page is positioned on one half of the platen); and capturing an image of the upper surface of said page (col 5, in 7-10).

Claims 1-3 and 13-16 lack an inventive step under PCT Article 33(3) as being obvious over US 3,815,646 A to Cinque in view of US 2006/0215038 A1 Gruber et al. (hereinafter 'Gruber').

Regarding claim 1, Cinque discloses a large format imaging system, comprising: a light source (col 3, in 29-31, lamp 97); a platen, positioned below the light source (col 3, in 22-23, table 90); an imager, adapted to receive light reflected off an item located on the platen from the light source (col 3, in 8-11, camera 71); and a position controller, for controlling the position of the imager in at least two dimensions relative to the platen (col 3, in 17-19 and col 4, in 27-31) however, Cinque does not disclose further limitation of the claim as disclosed by Gruber namely, the imager operates to sequentially capture a plurality of sections of the item located on the platen in a first mode and the entirety of the item located on the platen in a second mode (para [0027], wherein the camera captures area images sequentially or simultaneously of the entire area). It would have been obvious to one of ordinary skill in the art to combine the multi mode imaging scheme of Gruber's system with Cinque's in order to more reliably capture image of an oversized item.

Regarding claim 2, in the combination of Cinque and Gruber, Gruber further discloses the system further including a user interface for selecting between a full platen imaging operation and a sectioned imaging operation (para [0028] wherein the shutters and image acquisition systems can be actuated either sequentially and sectional or simultaneously and full platen).

Regarding claim 3, in the combination of Cinque and Gruber, Gruber discloses wherein said position controller is responsive to a user's selection of a template on the user interface (para [0104]).

Regarding claim 13, in the combination of Cinque and Gruber, Cinque further discloses wherein said item is a document (col 1, in 32-36).

Regarding claim 14, in the combination of Cinque and Gruber, Cinque further discloses wherein said document is a bound document (col 1, in 34-36, wherein the book is the bound document).

Regarding claim 15, in the combination of Cinque and Gruber, Cinque further discloses wherein said bound document is a large-format publication (col 1, in 34-36, wherein the book is the large format publication).

Regarding claim 16, in the combination of Cinque and Gruber, Gruber further discloses wherein said item is a collection comprising a plurality of individual pieces (para [0027], wherein the plurality of the images of an area is captured).

Claims 17-22 and 26 lack an inventive step under PCT Article 33(3) as being obvious over Bungo in view of US 4,899,214 A to Robbins et al. (hereinafter 'Robbins').

Regarding claim 17, Bungo discloses a large-format book imaging system, comprising: a chassis for supporting various components in a defined relationship (col 3, in 61-65 and Fig. 1); a light source (col 4, in 2-3); an imager, adapted to receive light reflected off a book page located on the platen from the light source (col 4, in 1-2); a book support attached to a shuttle capable of traversing from a first position adjacent the platen open edge and a second position spaced apart therefrom (col 5, in 5-10 and Fig. 2, wherein each side of the platen 20 acts as a book support and shuttled from the edge of the platen to the elevated position); however, Bungo does not disclose further limitation of the claim as disclosed by Robbins namely, a vacuum platen, positioned below the light source, and having an open edge along at least a portion of one side thereof (col 10, in 16-20). It would have been obvious to one of ordinary skill in the art to combine the Robbins's platen vacuum with Bungo's in order to enhance securing the item on the platen.

Regarding claim 18, in the combination of Bungo and Robbins, Bungo further discloses wherein the document shuttle, includes an oblique angle with respect to said platen, and is moveable along an axis perpendicular to the open edge of the platen (col 5, in 5-10 and Fig. 2, wherein each of the platen halves move in the perpendicular direction with respect to the platen edge and have an oblique angle edge).

-See supplemental sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US 09/31040

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:
Box V.2 citations and explanations:

Regarding claim 19, in the combination of Bungo and Robbins, Bungo further discloses the system further including a bound document placed on the support with at least one page segregated from the rest and placed on the platen and other pages of the bound document remaining supported by the book support and positioned beneath said platen (col 5, ln 5-10 and Fig. 2, wherein one page of the book can be read on the top half while the rest of the book is on the bottom half of the platen).

Regarding claim 20, in the combination of Bungo and Robbins, Robbins further discloses wherein said vacuum platen has a permeable scanning surface to attract said page (col 5, ln 34-38).

Regarding claim 21, in the combination of Bungo and Robbins, Bungo further discloses wherein said platen further includes a removable scanning surface (col 5, ln 5-10).

Regarding claim 22, in the combination of Bungo and Robbins, Bungo further discloses wherein said removable scanning surface is a felt overlay (col 5, ln 5-10 and fig. 2, wherein one half of the platen is overlaid the other half).

Regarding claim 26, Bungo further discloses wherein said document is a multi-page bound document (col 3, ln 61-63, the book), and further including: placing said multi-page bound document on an oblique surface of a shuttle located at a first position adjacent said platen (col 5, ln 5-10 and Fig. 2, wherein each of the platen halves move in the perpendicular direction with respect to the platen edge and have an oblique angle edge); and moving the shuttle and document to a second position adjacent an open edge (Col 5, ln 5-10 and Fig. 2, wherein one half of the platen is moved up and to the left) and wherein a portion of the document extends beneath the platen while a segregated page is held on a top surface of the platen (col 5, ln 5-10, wherein the top half of the platen may only hold one page) however, Bungo does not disclose further limitation of the claim as disclosed by Robbins namely, wherein the second position is adjacent a vacuum platen (col 10, ln 16-20). It would have been obvious to one of ordinary skill in the art to combine the Robbin's platen vacuum with Bungo's in order to enhance securing the item on the platen.

Claims 4, 6 and 7 lack an inventive step under PCT Article 33(3) as being obvious over Cinque in view of Gruber and further in view of US 6,323,963 B1 to Takahashi.

Regarding claim 4, Cinque and Gruber do not disclose further limitation of the claim as disclosed by Takahashi namely, the system further including at least one visual indicator illustrating the user's selection of a sectioned imaging operation, wherein the visual indicator is observable relative to the platen and the item placed thereon (col 28, ln 12-17). It would have been obvious to one of ordinary skill in the art to combine the visual indicator of Takahashi's system with Cinque's in order to enhance aligning of the imager head with the user's selected target position.

Regarding claim 6, in the combination of Cinque, Gruber and Takahashi, Gruber further discloses wherein the position controller regularly captures a section of the image and then automatically advances to the next section for capture automatically, thereby avoiding the need for the user to interact with the imager to capture a series of images (para [0056]).

Regarding claim 7, in the combination of Cinque, Gruber and Takahashi, Gruber further discloses wherein a speed at which the position controller advances the imager between sections is selected by a user (para [0100], wherein at the speed of 70 m/s the images would be sequentially taken).

Claim 9 lacks an inventive step under PCT Article 33(3) as being obvious over Cinque in view of Gruber and further in view of Robbins.

Regarding claim 9, in the combination Cinque, Gruber and Robbins, do not disclose further limitation of the claim as disclosed by Robbins namely, wherein said platen is a vacuum platen and includes an open edge along at least a portion of one side (col 10, ln 16-20). It would have been obvious to one of ordinary skill in the art to combine the Robbin's platen vacuum with Cinque in view of Gruber in order to enhance securing the item on the platen.

Claim 8 lacks an inventive step under PCT Article 33(3) as being obvious over Cinque in view Gruber and further in view of US 2006/0203244 A1 to Nilson et al. (hereinafter 'Nilson').

Regarding claim 8, Cinque and Gruber do not disclose further limitation of the claim as disclosed by Nilson namely, wherein said light source includes a plurality of generally aligned baffles to provide aligned rays of light for reflection off of the item (para [0104]). It would have been obvious to one of ordinary skill in the art to combine the baffles of Nilson's system with Cinque's in order to optimize lighting of the item.

Claim 12 lacks an inventive step under PCT Article 33(3) as being obvious over Cinque in view of Gruber and further in view of US 2002/0186425 A1 to Dufaux et al. (hereinafter 'Dufaux').

Regarding claim 12, Cinque and Gruber do not disclose further limitation of the claim as disclosed by Dufaux namely, wherein said imager operates in at least a portrait orientation and a landscape orientation (para [0026]-[0027]). It would have been obvious to one of ordinary skill in th art to combine the multi orientation imaging of Dufaux's system with Cinque's in order to accommodate a larger number of sizes of documents for imaging.

-See supplemental sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US 09/31040

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:
Box V.2 citations and explanations:

Claim 23 lacks an inventive step under PCT Article 33(3) as being obvious over Bungo in view of Robbins and further in view of US 4,831,457 A to Watanabe et al. (hereinafter 'Watanabe').

Regarding claim 23, Bungo and Robbins do not disclose further limitation of the claim as disclosed by Watanabe namely, wherein said shuttle includes rollers that engage with a slide rail associated with the chassis, and the shuttle translates along a path defined by the rail (col 4, ln 10-17 and fig. 4, wherein the rollers engage the guide rail 38 for translating the platen cover). It would have been obvious to one of ordinary skill in the art to combine the rollers and tracks of Watanabe's system with Bungo's in order to have smoother movement of the platen support.

Claim 24 lacks an inventive step under PCT Article 33(3) as being obvious over Bungo in view of Robbins and further in view of Gruber.

Regarding claim 24, Bungo and Robbins do not disclose further limitation of the claim as disclosed by Gruber namely, the system further including a position controller, for controlling the position of the imager in at least two dimensions relative to the platen such that the imager operates to sequentially capture a plurality of sections of the book page located on the platen in a first mode and the entirety of the book page located on the platen in a second mode (para [0027], wherein the camera captures area images sequentially or simultaneously of the entire area). It would have been obvious to one of ordinary skill in the art to combine the multi mode imaging scheme of Gruber's system with Bungo in view of Robbins in order to more reliably capture image of an oversized item.

Claim 5 lacks an inventive step under PCT Article 33(3) as being obvious over Cinque in view of Gruber and Takahashi and further in view of Robbins.

Regarding claim 5, Cinque, Gruber and Takahashi do not disclose further limitation of the claim as disclosed by Robbins namely, wherein said vacuum platen has a permeable imaging surface to attract said item (col 10, ln 16-20). It would have been obvious to one of ordinary skill in the art to combine Robbins' platen vacuum with Cinque in view of Gruber and Takahashi in order to enhance securing the item on the platen.

Claims 10 and 11 lack an inventive step under PCT Article 33(3) as being obvious over Cinque in view of Gruber and Robbins and further in view of Bungo.

Regarding claim 10, Cinque, Gruber and Robbins do not disclose further limitation of the claim as disclosed by Bungo namely, the system further including a book support, attached to a shuttle, said book support capable of traversing from a first position adjacent the platen open edge and a second position spaced apart therefrom (col 5, ln 5-10 and Fig. 2, wherein each side of the platen 20 acts as a book support and shuttled from the edge of the platen to the elevated position). It would have been obvious to one of ordinary skill in the art to combine the book support and shuttling effect of Bungo's system with Cinque's in order to more reliably capture image of bundled document

Regarding claim 11, in the combination of Cinque, Gruber, Robbins and Bungo, Bungo further discloses wherein said document shuttle, includes a surface positioned at an oblique angle with respect to said platen, and where said document shuttle is moveable along a path generally perpendicular to the open edge of the platen (col 5, ln 5-10 and Fig. 2, wherein the each of the halves move in the perpendicular direction with respect to the platen edge).

Claims 1-26 have industrial applicability as defined by PCT Article 33(4) because the subject matter can be made or used in industry.

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When ? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How ? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments ?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1bis(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.